

February 19, 2018

The Honorable Katherine Polk Failla  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Dear Judge Failla,

I am writing this letter on behalf of my husband Walter (Chet) Little. I apologize for submitting this letter so late, however, I was under the impression that I would be able to speak at my husband's sentencing. I just recently learned that I may not be able to speak and I wanted to make sure I had an opportunity to in my own words speak on his behalf. As the person who knows him the best and who has been the closest to him over the last seventeen (17) years I believe I am in the best position to provide you the most clear and accurate picture of who he is beyond what you see in this crime. As I read through the prosecutors sentencing memorandum last week I realized how little anyone in the Government seems to know about him. I was specifically struck by the inaccurate assumptions related to his character, motivations and values and his relationship with the co-defendant. I am very aware he has made a serious mistake with serious consequences but he is so much more than the person guilty of this crime. He is a husband, a father, a son, a brother, an uncle, a cousin, a friend, a colleague, and a mentor. He has made serious mistakes but he has also done many, many things right. Despite overcoming a difficult childhood, Chet worked hard and put himself through college and law school. Since I met and married him his main priority has always been his family and his career second. He is a loving, loyal and supportive husband and the best father a child could ask for. He is certainly not perfect, but if you knew him you would easily see he has a good heart and despite many challenges, including mental and physical health issues, he has always tried to do his best.

Unlike what the prosecutor wrote, Chet is a very humble and grateful person. In fact, Chet rarely tells anyone that he is an attorney. Usually when someone asks "what do you do?" he downs plays it and says something like "I work in real estate". He never wants to come across as bragging or acting as if he is better than someone else. Usually at social events you will find Chet with the kids versus the adults and he is the dad that all the kids love – the "fun dad" who gets on the ground and plays with them, kicks the soccer ball around, or participates in whatever "kid" event is going on. Neither Chet nor I come from wealthy families. We both put ourselves through college, worked for everything we have and have always been extremely thankful for the life and family we built together. We have spent a significant amount of time teaching our daughter the importance of hard work and being thankful. We also teach her the importance of service and giving back to those less fortunate. The main reason we chose the school she currently attends is because the school is committed to service and has a faith-based curriculum which we think is important to her upbringing. Even through the current struggles, we remind her that we have much to be thankful for and that we have more than so many other people. Chet especially has always believed our most important goal as parents is to raise our daughter to be a good person. At every parent/teacher conference Chet has told her teachers that although we want her to have good grades and be successful we first and foremost want her to be happy and a good person. Every year at Christmas, Chet took our daughter to his office where they had "angel trees" for less fortunate kids. Together they

pick children to buy gifts for and it is a tradition that is very important to both of them. Last Christmas, we went to my office to continue this tradition.

As a husband, Chet has always been extremely supportive and dedicated and he has always put me and my needs above his own. After graduating from the University of Florida College of Law, Chet worked tirelessly in small law firms to learn his trade and prove himself before landing jobs in larger firms. After he reached a mid-level position at a regional firm in Jacksonville (at the time his greatest accomplishment), I received a career opportunity that was equally significant to me, but, which unfortunately required us to relocate to Tampa. Without hesitation, Chet agreed to leave his job and relocate. Later, when our daughter was young and I wanted to stop working to stay home with our daughter he was completely supportive and basically told me to do whatever was best for me and our daughter. Then, after taking six (6) months off work, I found that I really missed working. Again, Chet was totally supportive of whatever I wanted to do and immediately started helping with childcare responsibilities so that I could dedicate the time needed when starting a new job. Time and time again, Chet has proven that he puts his family before himself.

Since our daughter was born, Chet dedicated his life to her care and well-being. Unlike many fathers, Chet took family leave after her birth to help care for her during the first few weeks. Our daughter was sick with reflux and didn't sleep for over a year. During that time we were both working so Chet and I would take turns at night holding her in a rocking chair or pushing her around the house in a stroller. Many nights Chet would sleep upright in a chair with our daughter in his arms. There was, and is, nothing he would not do for his family and his daughter. Throughout the years, Chet has been present for every big and small event in our daughter's life. Despite his demanding working schedule, Chet would always make sure to be home at least 2-3 nights a week early enough to spend time with our daughter. On those nights he would come home and play with her for several hours, put her to bed and then go back to work if needed. The time they spent together was true "quality time" and some of the most important time in my daughter's life. They would do things like play American Girl Dolls and create elaborate stories for the dolls, acting them out in great detail. Sometimes they would play with Barbie's or do art projects. Chet is a very talented artist and he and my daughter spend hours painting and creating elaborate designs outside with sidewalk chalk. I think he really wants to be the parent that is "present" and there for every event unlike what he experienced in his own childhood. Once on a trip to Disney World, our daughter wanted to meet Elsa and Anna from Frozen. The line was about 3 hours long and our daughter was too young to be able to wait that long. Chet grabbed his laptop and waited in line, doing work, while I took our daughter on other rides, returning when he was close to the front of the line. That's the kind of dad Chet is – always putting our daughter above himself. Since our daughter started school Chet has never missed an event – anything and everything from school plays, to holiday parties, to parent/teacher conferences, Chet has been there and been an active participant. He takes her to every soccer practice and attends every game. He has often rearranged work or other obligations to make sure he doesn't miss events even when I try to tell him it's "not a big deal". He doesn't want to miss a thing.

In second grade, our daughter was diagnosed with . As you probably know, raising a child with presents a different set of challenges and requires much more time and energy from the parents, which we unhesitatingly give to her. Prior to Chet's arrest, I had a flexible work schedule which allowed me to go home early, pick our daughter up, help her with her homework, take her to tutoring, academic coaching, therapy, and keep her focused through sports. Since Chet's arrest and loss of job, I have had to start working 50 plus hours per week and Chet has assumed all of the childcare responsibilities. Since

moving here from Jacksonville, we have no family support and, since Chet's arrest, our circle of friends has become extremely narrower and we simply have no one other than ourselves to care for our daughter, who desperately needs us.

Throughout much of the last seven (7) years, I have witnessed Chet suffering mentally and with chronic pain, including through two (2) failed back surgeries. I truly believe these factors contributed to Chet's conduct in this case. I have always known Chet had emotional struggles, which I assumed were mainly scars from his childhood. It wasn't until around 2010 that I started to realize it might be something more significant and perhaps a true mental health issue. He began to show signs of struggling and I began to notice significant mood changes and periods of dramatically different behavior, including excessive drinking. In hindsight the behaviors he exhibited were classic bi-polar but at the time I had no idea. When our family doctor suggested he might be bi-polar and Chet finally went to see a psychiatrist I was initially relieved. I thought he would finally get the help he needed and also have a chance to deal with some of the emotional scars from his childhood. When I heard the diagnosis of ADHD I was completely perplexed. I had known children and adults with ADHD and Chet didn't seem to have similar symptoms. He was certainly not hyperactive and if anything he was the opposite – quiet and reserved. His job required him to read hundreds of pages a day and he never had any issues sitting down and concentrating for hours on end. It didn't make any sense and I immediately questioned him on this. Of course I am not a medical professional and quite frankly I think he was relieved to not have the stigma of a bi-polar diagnosis. Despite my disagreement with the diagnosis I was not in a position to really challenge it and I had no idea the danger that ADHD medications could cause for someone with other mental health problems. In hindsight I should have insisted on a second opinion – I will live with this regret for the rest of my life.

During the same time period, Chet began struggling with chronic pain which started from a genetically-caused bulging disc pushing on his spinal cord and resulting in two (2) failed back surgeries and severe nerve damage which can never be repaired. Looking back I think the impact of living in chronic pain is why I didn't push as much as I should have for a 2<sup>nd</sup> opinion on the mental health diagnosis. I have never personally experienced chronic pain but having lived with someone who has I can tell you it is heartbreaking to watch. Over the years, he has been through two (2) surgeries, recoveries, therapy and numerous unsuccessful attempts to obtain permanent pain relief. Chet has been to pain management doctors, neurologists, surgeons, and even acupuncturists trying to deal with his condition. During this time there have been weeks ranging from a dull manageable pain to complete unbearable agony. Dealing with this condition consumed much of his life during this time period and I have seen the toll this took on him – not just physical but also mental and emotional. It's hard to watch someone you love living like this and feeling helpless to be able to provide any relief.

Starting around 2010 we became very close friends with the Berke family, as they were our neighbors and our children played together. Up until Chet's arrest, I believed them to be our closest friends and I treated their children as if they were my own. In the Government's sentencing memorandum, it sounds like Chet was forcing Andy to engage in an illegal activity which Andy wanted no part of. While I had no idea this was going on prior to the arrest, the "friendship" I witnessed between our families seemed mutual and very real to me at the time. I never noticed any tension between Andy and Chet and the interaction between our families was constant and initiated by both sides. There was rarely a day that our children were not together. On a weekly basis our families spent time together hanging out, having dinner, attending events and even doing family vacations. Until we moved from Apollo Beach in August 2016, our children were together constantly including sleepovers. On several occasions Andrea brought up the

day trading that Chet and Andy were doing. I know that Andy and Chet would frequently be on the computer together at night, and I shared with Andrea that this was a big concern for me and something that caused a great deal of stress for our marriage. I shared with her the mental health concerns and the significant losses I had seen on our 1099 statements and I believed this was a gambling issue for Chet brought on by mental health struggles. Andrea always assured me that Andy was brilliant and very good at day trading and that he was teaching her his strategies. Looking back it's hard to know what was real and what wasn't. I find it hard to believe that if Chet was forcing Andy to participate in illegal activities that Andy would willingly bring his children into our home and have the degree of interaction with our family that they did.

The Government's sentencing memorandum states that my family is in a better position than most to absorb the impact of incarceration because I am employed and "highly compensated". While it is true I have worked hard to achieve success in my career, neither my job nor my salary level will absorb the impact, financially or otherwise, of Chet being incarcerated. My family was completely and totally destroyed on May 11, 2017 when the FBI arrested my husband. I suffer almost daily flashbacks and nightmares from the FBI's raid on my home at 6:30 that morning.

Before I could even find out the charges and try to bail Chet out of jail, his job fired him. His photo and arrest were in multiple local and national newspapers and nearly everyone we know found out immediately. It wasn't until the middle of the day on May 11 that I found out Andy Berke was also arrested. I was in an attorney's office that I had found on Google and he showed me the complaint. When I saw Andy's name I was stunned and had to leave the room and was physically ill in the bathroom. I tried to reach out to Andrea but she already had an attorney in place from Washington DC and advised that she was not allowed to speak to me. In a matter of a few hours my entire world collapsed. In the days and weeks to follow I would also find out how few "true" friends we really had. My life is forever changed and I don't know if or when I will recover from the emotional and psychological damage of all that happened. Our daughter has also been affected. She used to be the child who loved school and rarely missed a day. She was the type of child who makes friends with anyone and everyone – girls, boys, older, younger, etc. Since the arrest, she has lost all interest in school and frequently asks to stay home. Her grades have fallen significantly and her attitude has changed dramatically. She went from being a silly, happy kid to being constantly agitated and angry. The slightest thing can set her off and cause a tantrum you would expect from a 4 year old. But for Chet working with her every day, I think she would fail out of school and retreat even further into her shell. I fear that if Chet is incarcerated she will continue to decline, perhaps irreversibly.

The Government also suggests that my family is financially capable of absorbing Chet's absence and loss of income. That is not correct. While I do make a good salary, our expenses more than consume it. We made a bad real estate investment during 2005, which costs us about \$1,000 per month, or more, and I believe this property may go into foreclosure because we are having trouble sustaining it. The financial statement we provided to the probation officer gives a fuller picture as to our resources. If you exclude the estimated \$5,000 per month income for Chet, we are at a negative monthly cash flow, coupled with our negative net worth.

Since Chet's proper diagnosis and treatment for bi-polar disorder, I have noticed significant positive changes in his mood and overall health even during this incredibly difficult time. He is able to show true remorse and has expressed many times his motivation and desire to make amends for his conduct and to

repair the damage he has done including to his family. I don't think he would be capable of that same mindset had his treatment not been corrected. I admire his resolve, but I know the long road he has in front of him given his crime. I fear that incarceration will impair his mental health recovery and alcohol treatment through the Florida Bar program and could potentially break him.

I truly understand the severity of this crime. Believe me, there is no one angrier about what he did than me. I have wanted to hate him since he was arrested and I found out about this and I have gone through every emotion from betrayal to pain to anger. However, as I look back on this time period and everything I saw and remember I truly believe that the mental health and chronic pain issues caused Chet to do something completely and totally out of character for him. I also know, as his spouse, I must take some responsibility for not acting when I knew the pain and suffering he was in and in my heart I knew his mental health issue was not being treated accurately. I was the person closest to him and I let him down when he needed me most. I'm not sure how I will ever forgive myself for that.

I understand that punishment is required but ask that you please consider an alternative to prison. A sentence that does not include prison is not a "win" for Chet or my family. If you can see fit to give a sentence that does not include prison, what you are really doing is giving Chet a chance to start making amends and continue changing his life. Your will also be helping to save our family. Making amends will not be easy and will involve lifelong struggles and punishments.

Thank you for the opportunity to speak on my husband's behalf and thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Angela', with a long, sweeping horizontal line extending from the end of the signature across the page.

Angela Little